

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHANON THOMAS,

Defendant.

8:10CR136

**ORDER**

Defendant was sentenced to a life term of imprisonment by the United States District Court for the District of Nebraska on February 9, 2011. ([Filing No. 110](#).) The Eighth Circuit Court of Appeals affirmed the district court's decision on December 27, 2011. ([Filing No. 132](#).) No other action had taken place in this case since that time, until May 21, 2021, when Defendant, proceeding *pro se*, submitted a document requesting the assistance of counsel. ([Filing No. 135](#).) Defendant requests counsel so that he may "exhaust [his] remedy." (*Id.*) It appears to the Court that Defendant seeks counsel to assist him with seeking relief under 28 U.S.C. § 2255.

"There is no right to counsel in postconviction proceedings." [Garza v. Idaho, 139 S. Ct. 738, 749 \(2019\)](#). The district court has discretion to appoint counsel in postconviction proceedings if it determines that the interests of justice so require. [Wiseman v. Wachendorf, 984 F.3d 649, 655 \(8th Cir. 2021\)](#). Defendant has presented no facts or evidence from which the Court can conclude that it should appoint counsel in this matter. Accordingly,

**IT IS ORDERED** that Defendant's request for counsel ([Filing No. 135](#)) is denied.

Dated 26th of May, 2021.

BY THE COURT:

s/ Susan M. Bazis  
United States Magistrate Judge